

the Food and Drug Administration may be used for one-year contracts which are to be performed in two fiscal years so long as the total amount for such contracts is obligated in the year for which the funds are appropriated.

(Pub. L. 102-142, title VII, § 725, Oct. 28, 1991, 105 Stat. 913.)

§ 2209d. Statement of percentage and dollar amount of Federal funding

On and after October 28, 1991, the Department of Agriculture, when issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds, including but not limited to State and local governments, shall clearly state (1) the percentage of the total cost of the program or project which will be financed with Federal money, and (2) the dollar amount of Federal funds for the project or program.

(Pub. L. 102-142, title VII, § 733, Oct. 28, 1991, 105 Stat. 914.)

§ 2209e. Prohibition on payments to parties involved with prohibited drug-producing plants

On and after October 21, 1993, none of the funds available to the Department of Agriculture may be used to make production or other payments to a person, persons, or corporations upon a final finding by court of competent jurisdiction that such party is guilty of growing, cultivating, harvesting, processing or storing marijuana, or other such prohibited drug-producing plants on any part of lands owned or controlled by such persons or corporations.

(Pub. L. 103-111, title VII, § 704, Oct. 21, 1993, 107 Stat. 1078.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

- Pub. L. 102-341, title VII, § 704, Aug. 14, 1992, 106 Stat. 907.
- Pub. L. 102-142, title VII, § 705, Oct. 28, 1991, 105 Stat. 911.
- Pub. L. 101-506, title VI, § 605, Nov. 5, 1990, 104 Stat. 1346.
- Pub. L. 101-161, title VI, § 605, Nov. 21, 1989, 103 Stat. 982.
- Pub. L. 100-460, title VI, § 605, Oct. 1, 1988, 102 Stat. 2259.
- Pub. L. 100-202, § 101(k) [title VI, § 605], Dec. 22, 1987, 101 Stat. 1329-322, 1329-353.

§ 2209f. Restriction on commodity purchase program payments

On and after October 28, 2000, none of the funds made available to the Department of Agriculture shall be used to carry out any commodity purchase program that would prohibit eligibility or participation by farmer-owned cooperatives.

(Pub. L. 106-387, § 1(a) [title VII, § 725], Oct. 28, 2000, 114 Stat. 1549, 1549A-32.)

§ 2209g. Availability of funds for uniforms or allowances

On and after November 10, 2005, funds appropriated by this or any other Appropriations Act

to the Department of Agriculture (excluding the Forest Service) shall be available for uniforms or allowances as authorized by law (5 U.S.C. 5901-5902).

(Pub. L. 109-97, title VII, § 702, Nov. 10, 2005, 119 Stat. 2149.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

- Pub. L. 108-447, div. A, title VII, § 702, Dec. 8, 2004, 118 Stat. 2838.
- Pub. L. 108-199, div. A, title VII, § 702, Jan. 23, 2004, 118 Stat. 31.
- Pub. L. 108-7, div. A, title VII, § 702, Feb. 20, 2003, 117 Stat. 38.
- Pub. L. 107-76, title VII, § 702, Nov. 28, 2001, 115 Stat. 731.
- Pub. L. 106-387, § 1(a) [title VII, § 702], Oct. 28, 2000, 114 Stat. 1549, 1549A-28.
- Pub. L. 106-78, title VII, § 702, Nov. 28, 2001, 113 Stat. 1160.
- Pub. L. 105-277, div. A, § 101(a) [title VII, § 702], Oct. 21, 1998, 112 Stat. 2681-25.
- Pub. L. 105-86, title VII, § 702, Nov. 18, 1997, 111 Stat. 2104.
- Pub. L. 104-180, title VII, § 702, Aug. 6, 1996, 110 Stat. 1596.
- Pub. L. 104-37, title VII, § 702, Oct. 21, 1995, 109 Stat. 329.
- Pub. L. 103-330, title VII, § 702, Sept. 30, 1994, 108 Stat. 2466.
- Pub. L. 103-111, title VII, § 702, Oct. 21, 1993, 107 Stat. 1078.
- Pub. L. 102-341, title VII, § 702, Aug. 14, 1992, 106 Stat. 906.
- Pub. L. 102-142, title VII, § 703, Oct. 28, 1991, 105 Stat. 911.
- Pub. L. 101-506, title VI, § 603, Nov. 5, 1990, 104 Stat. 1346.
- Pub. L. 101-161, title VI, § 603, Nov. 21, 1989, 103 Stat. 982.
- Pub. L. 100-460, title VI, § 603, Oct. 1, 1988, 102 Stat. 2259.
- Pub. L. 100-202, § 101(k) [title VI, § 603], Dec. 22, 1987, 101 Stat. 1329, 1329-353.
- Pub. L. 99-500, § 101(a) [title VI, § 603], Oct. 18, 1986, 100 Stat. 1783, 1783-27, and Pub. L. 99-591, § 101(a) [title VI, § 603], Oct. 30, 1986, 100 Stat. 3341, 3341-27.
- Pub. L. 97-370, title VI, § 603, Dec. 18, 1982, 96 Stat. 1810.
- Pub. L. 97-103, title VI, § 603, Dec. 23, 1981, 95 Stat. 1487.
- Pub. L. 96-108, title VI, § 602, Nov. 9, 1979, 93 Stat. 840.
- Pub. L. 95-448, title VI, § 602, Oct. 11, 1978, 92 Stat. 1092.
- Pub. L. 94-351, title VI, § 602, July 12, 1976, 90 Stat. 868.
- Pub. L. 94-122, title VI, § 602, Oct. 21, 1975, 89 Stat. 666.
- Pub. L. 93-563, title V, § 502, Dec. 31, 1974, 88 Stat. 1842.
- Pub. L. 93-135, title V, § 503, Oct. 24, 1973, 87 Stat. 489.
- Pub. L. 92-399, title V, § 503, Aug. 22, 1972, 86 Stat. 611.
- Pub. L. 92-73, title V, § 503, Aug. 10, 1971, 85 Stat. 201.
- Pub. L. 91-566, title V, § 503, Dec. 22, 1970, 84 Stat. 1496.
- Pub. L. 91-127, title V, § 503, Nov. 26, 1969, 83 Stat. 260.
- Pub. L. 90-463, title V, § 503, Aug. 8, 1968, 82 Stat. 653.
- Pub. L. 90-113, title V, § 503, Oct. 24, 1967, 81 Stat. 334.
- Pub. L. 89-556, title V, § 503, Sept. 7, 1966, 80 Stat. 703.
- Pub. L. 89-316, title V, § 503, Nov. 2, 1965, 79 Stat. 1179.
- Pub. L. 88-574, title V, § 503, Sept. 2, 1964, 78 Stat. 876.
- Pub. L. 88-250, title VI, § 603, Dec. 30, 1963, 77 Stat. 833.
- Pub. L. 87-879, title VI, § 603, Oct. 24, 1962, 76 Stat. 1215.
- Pub. L. 87-112, title V, § 503, July 26, 1961, 75 Stat. 240.
- Pub. L. 86-532, title IV, § 403, June 29, 1960, 74 Stat. 244.
- Pub. L. 86-80, title IV, § 403, July 8, 1959, 73 Stat. 179.
- Pub. L. 85-459, title IV, § 403, June 13, 1958, 72 Stat. 199.

Pub. L. 85-119, title V, §503, Aug. 2, 1957, 71 Stat. 340.

§ 2209h. Reimbursement of Office of the General Counsel

On and after November 10, 2005, agencies and offices of the Department of Agriculture may utilize any unobligated salaries and expenses funds to reimburse the Office of the General Counsel for salaries and expenses of personnel, and for other related expenses, incurred in representing such agencies and offices in the resolution of complaints by employees or applicants for employment, and in cases and other matters pending before the Equal Employment Opportunity Commission, the Federal Labor Relations Authority, or the Merit Systems Protection Board with the prior approval of the Committees on Appropriations of both Houses of Congress.

(Pub. L. 109-97, title VII, §732, Nov. 10, 2005, 119 Stat. 2154.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Pub. L. 108-447, div. A, title VII, §736, Dec. 8, 2004, 118 Stat. 2844.

Pub. L. 108-199, div. A, title VII, §732, Jan. 23, 2004, 118 Stat. 35.

Pub. L. 108-7, div. A, title VII, §739, Feb. 20, 2003, 117 Stat. 43.

§ 2209i. Funding for preparation of final agency decisions regarding discrimination complaints

On and after November 10, 2005, agencies and offices of the Department of Agriculture may utilize any available discretionary funds to cover the costs of preparing, or contracting for the preparation of, final agency decisions regarding complaints of discrimination in employment or program activities arising within such agencies and offices.

(Pub. L. 109-97, title VII, §751, Nov. 10, 2005, 119 Stat. 2156.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Pub. L. 108-447, div. A, title VII, §763, Dec. 8, 2004, 118 Stat. 2847.

Pub. L. 108-199, div. A, title VII, §762, Jan. 23, 2004, 118 Stat. 39.

§ 2209j. Permanent debarment from participation in Department of Agriculture programs for fraud

(a) In general

Subject to subsection (b), the Secretary of Agriculture shall permanently debar an individual, organization, corporation, or other entity convicted of a felony for knowingly defrauding the United States in connection with any program administered by the Department of Agriculture from any subsequent participation in Department of Agriculture programs.

(b) Exceptions

(1) Secretary determination

The Secretary may reduce a debarment under subsection (a) to a period of not less

than 10 years if the Secretary considers it appropriate.

(2) Food assistance

A debarment under subsection (a) shall not apply with respect to participation in domestic food assistance programs (as defined by the Secretary).

(Pub. L. 110-234, title XIV, §14211, May 22, 2008, 122 Stat. 1464; Pub. L. 110-246, §4(a), title XIV, §14211, June 18, 2008, 122 Stat. 1664, 2226.)

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

EFFECTIVE DATE

Enactment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as a note under section 8701 of this title.

§ 2210. Deputy Secretary of Agriculture; appointment

There is established in the Department of Agriculture the position of Deputy Secretary of Agriculture, to be appointed by the President, by and with the advice and consent of the Senate.

(Mar. 26, 1934, ch. 89, title I, 48 Stat. 467; Pub. L. 94-561, §1(c)(1), Oct. 19, 1976, 90 Stat. 2643.)

CODIFICATION

Provisions of this section which prescribed the basic compensation of the Under Secretary were omitted to conform to the provisions of act July 31, 1956. See section 5314 of Title 5, Government Organization and Employees.

Section was formerly classified to section 514a of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

AMENDMENTS

1976—Pub. L. 94-561 substituted “Deputy Secretary of Agriculture” for “Under Secretary of Agriculture”.

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-561 effective Oct. 19, 1976, see section 5 of Pub. L. 94-561, set out as a note under section 5313 of Title 5, Government Organization and Employees.

TRANSFER OF FUNCTIONS

Functions of all officers, agencies, and employees of Department of Agriculture transferred, with certain exceptions, to Secretary of Agriculture by 1953, Reorg. Plan No. 2, §1, eff. June 4, 1953, 18 F.R. 3219, 67 Stat. 633, set out as a note under section 2201 of this title.

STATUS OF INCUMBENT UNDER SECRETARY OF AGRICULTURE

Pub. L. 94-561, §1(d), Oct. 19, 1976, 90 Stat. 2643, provided that: “The officer occupying the position of Under Secretary of Agriculture, on the date of enactment of this Act [Oct. 19, 1976], may assume the duties of the Deputy Secretary of Agriculture. The individual assuming such duties shall not be required to be reappointed by reason of the enactment of this Act.”

§ 2211. Powers and duties of Deputy Secretary of Agriculture

The Deputy Secretary of Agriculture is authorized to exercise the functions and perform